

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

JOEL VEGA

(Name and Address of Defendant)

CRIMINAL COMPLAINT

CASE NUMBER: *05M-1065-JGD*

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 29, 2004 in ESSEX county, in the District of MASSACHUSETTS defendant ☒ did, (Track Statutory Language of Offense)

FLEE THE COMMONWEALTH OF MASSACHUSETTS AND TRAVEL IN INTERSTATE COMMERCE TO AVOID PROSECUTION FOR THE CRIME OF FILING FALSE MOTOR VEHICLE INSURANCE CLAIMS, A FELONY UNDER THE LAWS OF MASSACHUSETTS

in violation of Title 18 United States Code, Section(s) 1073

I further state that I am a(n) DEPUTY U. S. MARSHALL and that this complaint is based on the following facts:
Official Title

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof:

Yes No

Stephen M. McKearney
Signature of Complainant

Stephen M. McKearney
Deputy U. S. Marshall

Sworn to before me and subscribed in my presence,

03-08-2005

Date

at

BOSTON, MA

City and State

JUDITH G. DEIN
U. S. MAGISTRATE JUDGE

Name & Title of Judicial Officer

Judith Gail Dein
Signature of Judicial Officer

AFFIDAVIT OF STEPHEN M. MCKEARNEY

I, Stephen M. McKearney being duly sworn, do depose and say:

1. I am a Deputy United States Marshal with the United States Marshals Service ("USMS") of the Department of Justice, and have been so employed for approximately 10½ years. I am currently assigned as a Task Force Officer for the New England High Intensity Drug Trafficking Areas (HIDTA) Fugitive Task Force. I have been assigned to the New England HIDTA Fugitive Task Force for the past 2 years. I have been assigned to the Investigations Unit for the past 3 years. I have attended criminal investigator training at the Federal Law Enforcement Training Center in Glynco, GA. I also attended the U.S. Marshals Service Basic Academy and the U.S. Marshals Service Advanced School. I have received on-going training on different areas of fugitive investigations, and during the course of my career, I have been personally involved in hundreds of fugitive investigations.

2. I submit this Affidavit in support of the issuance of a criminal complaint and arrest warrant for an individual identified as Joel VEGA (hereinafter referred to as "VEGA") for unlawful flight to avoid prosecution, in violation of Title 18, United States Code, Section 1073.

3. VEGA is described as a Hispanic male. His date of birth is March 14, 1978. He is believed to use Social Security number 581-61-7891. He is approximately five feet, eight inches

tall and weighs approximately 160 pounds. He has black hair and brown eyes.

4. This Affidavit is based upon information about which I have personal knowledge, documentary evidence that I have reviewed, and my conversations with other law enforcement officers and agents. This Affidavit does not contain every detail of this investigation. Rather, it contains those facts that I believe are necessary and sufficient to establish probable cause for the issuance of the requested arrest warrant.

5. On July 29, 2004, VEGA was charged in Lawrence District Court, in Lawrence, Massachusetts with 8 counts of False Motor Vehicle Insurance Claim, a felony under Massachusetts General Laws Chapter 266, Section 111B. An arrest warrant for VEGA was issued on that date and was entered in the Massachusetts Warrant Management System. A copy of this warrant is attached hereto as Exhibit A.

6. The Lawrence Massachusetts Police Department's Insurance Fraud Task Force and the Essex County District Attorney's Office have requested the assistance of the U.S. Marshals Service in the location and apprehension of VEGA.

7. Based on an investigation conducted by the Lawrence, Massachusetts Police Department's Insurance Fraud Task Force, it is believed that during the year of 2003, VEGA acted as a "runner" and played a major role in an insurance fraud ring in

the city of Lawrence, Massachusetts. This ring caused the death of a co-conspirator on September 1, 2003, and as a result, the Lawrence Police Department formed an Insurance Fraud Task Force. The Insurance Fraud Task Force has netted over 100 arrests to date. As a runner, VEGA was paid cash by several attorneys and chiropractors for bringing in clients with phony insurance claims. These same professionals may be paying money to VEGA to keep him in hiding as VEGA would help put them in jail if caught.

8. Members of law enforcement have attempted to locate VEGA. Efforts to locate and arrest VEGA in Massachusetts have been unsuccessful. Following a diligent investigation by local, state, and federal authorities, I do not believe that VEGA is residing in Massachusetts at this time.

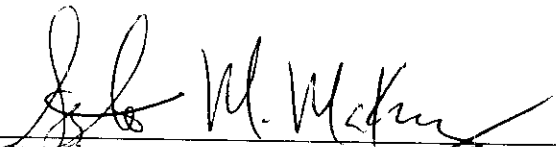
9. Based on information obtained from the interviews of VEGA's girlfriend, Anastacia Padilla, it is believed that VEGA is in the New York, New Jersey area with family. It is believed that VEGA has fled from the Commonwealth of Massachusetts to avoid prosecution on the charges pending against him in Lawrence District Court.

10. The District Attorney of Essex County has informed me that the office will rendite VEGA if he is apprehended in the United States. A letter from the District Attorney's Office, Essex County, so stating is attached hereto as Exhibit B.

11. Based upon all of the foregoing facts, as well as my


training and experience, there is probable cause to believe that Joel VEGA has fled from the Commonwealth of Massachusetts, that VEGA may presently be located in the state of New York, and that VEGA's flight from Massachusetts was to avoid prosecution, in violation of Title 18, United States Code, Section 1073.

Signed under the pains and penalties of perjury this day
of February 2005.



Stephen M. McKearney
Deputy U.S. Marshal
United State Marshals Service

Sworn to and subscribed to before me this 8th day of
March
~~February~~ 2005.



JUDITH G. DEIN
U.S. Magistrate Judge

Downloaded on 03/08/2005 Criminal Justice Information System

Mass. Court of Massachusetts - Warrant Management System

Warrant of Massachusetts General Laws ch.276 §23A (1B) is a TRUE WARRANT on the person named herein as contained in the Warrant Management System and printed via Criminal Justice Information System.
This Warrant Printed as of 00:42 on 03/07/05

Defendant Information:

Name: ALBA, JUEL SSN: 581617891
Address: 6 BELMONT STREET Race: U Sex: M
City: LAWRENCE MA 01841 Hair: BLK Eyes: XXX
Weights: Height: 0'00"
Complexions: Marks:
Date of Birth: 03/14/1978 Place of Birth: DR Date of Emancipation: 00/00/0000
Father: Mother:
Known Alias: Ref No: WJ350615
License No: Misc No:
License State: MA Outn No: CC No: 04000850

Warrant Information:

Docket: 0415CR004683

Issue Date: 07/29/2004 Court of Issue: 18 - LAWRENCE DISTRICT

Type: S - STRAIGHT

160605

Date of Complaint: 07/29/2004

Offense Date: 06/16/2003 Offense Location: LAWRENCE

***** Charges *****

Count	Offense Code	Description
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 M+	274/7	CONSPIRACY c274 S7
1 M+	274/7	CONSPIRACY c274 S7
1 M+	274/7	CONSPIRACY c274 S7
1 M+	274/7	CONSPIRACY c274 S7
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 F	266/111B	INSURANCE CLAIM, FALSE MOTOR VEH c266 S111B
1 M+	274/7	CONSPIRACY c274 S7
1 M+	274/7	CONSPIRACY c274 S7
1 M+	274/7	CONSPIRACY c274 S7

Court Information:

Assigned for Service To: LAW - LAWRENCE PD

Warrant printed by: 441 - METHUEN SP - DRUG UNIT (MIDTA)

Fine Amount:

Officer Name:

Bail Amount:

Judge's Name: SPRAGOW, ACTING, ROANNE

None set

Return Date/Time: 00/00/0000 00:00

Recall Date/Time: 00/00/0000 00:00

*** Return of Service on Page 2 ***

EXHIBIT A

-----VEGA, JOEL-----

-----WE333615-----

-----PAGE 1-----

Commonwealth of Massachusetts - Criminal Justice Information System

Trial Court of Massachusetts - Warrant Management System

Pursuant to Massachusetts General Laws ch.276 s.23A this is a TRUE WARRANT on the person named herein as contained in the Warrant Management System and printed via Criminal Justice Information System.

TO ANY OFFICER AUTHORIZED TO SERVE CRIMINAL PROCESS:

The court has ordered that the above warrant issue against the above defendant.

Therefore you are hereby commanded to arrest the above named defendant and bring the defendant forthwith before this court to answer to the offense(s) listed above and to be dealt with according to law.

Return of Service: By virtue of this warrant, I certify that:

_____ The defendant has been arrested as ordered by the court.

_____ I am returning the warrant without service to the court.

Date of Arrest	Signature of Person Making Service	Title of Person Making Service	Department If different
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JONATHAN W. BLODGETT
District Attorney

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE
DISTRICT ATTORNEY FOR THE ESSEX DISTRICT
SALEM NEWBURYPORT LAWRENCE

Museum Place
Two East India Square
Salem, Massachusetts 01970

TELEPHONE
SALEM (978)745-6610
FAX (978)741-4971
TTY (978)741-3163

March 1, 2005

Michael J. Sullivan
U.S. Attorney
U.S. Courthouse
Suite 9200
1 Courthouse Way
Boston MA 02210

Dear U.S. Attorney Sullivan:

This letter is to confirm that the Essex County District Attorney's Office will extradite Joel Vega (AKA Nikko) from any jurisdiction within the continental United States.

Sincerely,

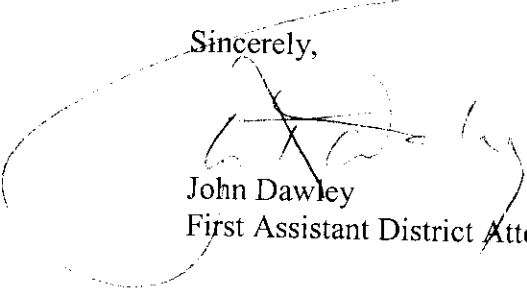

John Dawley
First Assistant District Attorney

EXHIBIT B

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Lawrence Category No. I Investigating Agency U.S. MARSHAL

City Lawrence Related Case Information:

County Essex Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number 05M-1065-JGD
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name JOEL VEGA Juvenile ☐ Yes ☒ No

Alias Name _____

Address _____

Birth date (Year only): 1978 SSN (last 4 #): 7891 Sex M Race: White Nationality: Hispanic

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Carmen M. Ortiz Bar Number if applicable 380390

Interpreter: ☐ Yes ☐ No List language and/or dialect: _____

Matter to be SEALED: ☐ Yes ☒ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by _____ on _____

Charging Document: ☒ Complaint ☐ Information ☐ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ 1 Felony _____

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 3/8/05 Signature of AUSA: Carmen M. Ortiz

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant JOEL VEGA

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 1073</u>	<u>Unlawful Flight to Avoid Prosecution</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: